

further consideration of the bill. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 6417.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. ARCURI. Madam Speaker, I yield back the balance of my time, and I

move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. FOXX. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption.

The vote was taken by electronic device, and there were—yeas 239, nays 171, not voting 23, as follows:

[Roll No. 576]

YEAS—239

Ackerman	Garamendi	Meeks (NY)
Altmire	Gonzalez	Melancon
Andrews	Gordon (TN)	Michaud
Arcuri	Grayson	Miller (NC)
Baca	Green, Al	Miller, George
Baird	Green, Gene	Minnick
Baldwin	Grijalva	Mitchell
Barrow	Gutierrez	Mollohan
Bean	Hall (NY)	Moore (KS)
Becerra	Halvorson	Moore (WI)
Berkley	Hare	Moran (VA)
Berman	Harman	Murphy (CT)
Berry	Hastings (FL)	Murphy (NY)
Bishop (GA)	Heinrich	Murphy, Patrick
Bishop (NY)	Herseth Sandlin	Nadler (NY)
Blumenauer	Higgins	Napolitano
Boccieri	Himes	Neal (MA)
Boren	Hinchey	Nye
Boswell	Hinojosa	Oberstar
Boyd	Hirono	Obey
Brady (PA)	Hodes	Oliver
Braley (IA)	Holden	Ortiz
Brown, Corrine	Holt	Owens
Butterfield	Honda	Pallone
Capps	Inslee	Pascrell
Capuano	Israel	Pastor (AZ)
Cardoza	Jackson (IL)	Payne
Carnahan	Jackson Lee	Perlmutter
Carney	(TX)	Perriello
Carson (IN)	Johnson (GA)	Peters
Castor (FL)	Johnson, E. B.	Peterson
Chandler	Kagen	Pingree (ME)
Childers	Kanjorski	Polis (CO)
Chu	Kaptur	Pomeroy
Clarke	Kennedy	Price (NC)
Cleaver	Kildee	Quigley
Cohen	Kilpatrick (MI)	Rahall
Connolly (VA)	Kilroy	Rangel
Conyers	Kind	Reyes
Cooper	Kirkpatrick (AZ)	Richardson
Costa	Kissell	Rodriguez
Costello	Klein (FL)	Ross
Courtney	Kosmas	Rothman (NJ)
Critz	Kratovil	Roybal-Allard
Crowley	Kucinich	Ruppersberger
Cuellar	Langevin	Rush
Cummings	Larsen (WA)	Ryan (OH)
Dahlkemper	Larson (CT)	Salazar
Davis (AL)	Lee (CA)	Sánchez, Linda
Davis (CA)	Levin	T.
Davis (IL)	Lewis (GA)	Sanchez, Loretta
DeFazio	Lipinski	Sarbanes
DeGette	Loeback	Schakowsky
DeLauro	Lofgren, Zoe	Schauer
Deutch	Lowe	Schiff
Dicks	Lujan	Schrader
Dingell	Lynch	Schwartz
Doggett	Maffei	Scott (GA)
Donnelly (IN)	Maloney	Scott (VA)
Doyle	Markey (CO)	Serrano
Driehaus	Markey (MA)	Sestak
Edwards (MD)	Marshall	Shea-Porter
Ellison	Matheson	Sherman
Ellsworth	Matsui	Shuler
Engel	McCarthy (NY)	Sires
Eshoo	McCollum	Skelton
Etheridge	McDermott	Slaughter
Farr	McGovern	Smith (WA)
Filner	McIntyre	Snyder
Foster	McMahon	Space
Frank (MA)	McNerney	Speier
Fudge	Meek (FL)	Spratt

Stark	Tonko	Watt
Stupak	Towns	Waxman
Sutton	Tsongas	Weiner
Tanner	Velázquez	Welch
Teague	Visclosky	Wilson (OH)
Thompson (CA)	Walz	Woolsey
Thompson (MS)	Wasserman	Wu
Tierney	Schultz	Yarmuth
Titus	Watson	

NAYS—171

Aderholt	Giffords	Myrick
Adler (NJ)	Gingrey (GA)	Neugebauer
Akin	Gohmert	Nunes
Alexander	Goodlatte	Olson
Austria	Granger	Paul
Bachmann	Graves (GA)	Paulsen
Bachus	Graves (MO)	Pence
Bartlett	Griffith	Petri
Barton (TX)	Guthrie	Pitts
Biggert	Hall (TX)	Platts
Blibray	Harper	Poe (TX)
Bilirakis	Hastings (WA)	Posey
Bishop (UT)	Heller	Price (GA)
Blunt	Hensarling	Putnam
Boehner	Herger	Rehberg
Bonner	Hoekstra	Reichert
Bono Mack	Hunter	Roe (TN)
Boustany	Issa	Rogers (AL)
Brady (TX)	Jenkins	Rogers (KY)
Broun (GA)	Johnson (IL)	Rogers (MI)
Brown (SC)	Johnson, Sam	Rohrabacher
Buchanan	Jones	Rooney
Burgess	Jordan (OH)	Ros-Lehtinen
Burton (IN)	King (IA)	Roskam
Buyer	King (NY)	Royce
Calvert	Kingston	Ryan (WI)
Camp	Kline (MN)	Scalise
Campbell	Lamborn	Schmidt
Cantor	Lance	Schock
Cao	Latham	Sensenbrenner
Capito	LaTourette	Sessions
Carter	Latta	Shadegg
Cassidy	Lee (NY)	Shimkus
Castle	Lewis (CA)	Shuster
Chaffetz	Linder	Simpson
Coble	LoBiondo	Smith (NE)
Coffman (CO)	Lucas	Smith (NJ)
Cole	Luetkemeyer	Smith (TX)
Conaway	Lummis	Stearns
Crenshaw	Lungren, Daniel	Stutzman
Culberson	E.	Sullivan
Dent	Mack	Taylor
Diaz-Balart, L.	Manzullo	Terry
Diaz-Balart, M.	Marchant	Thompson (PA)
Djou	McCarthy (CA)	Thornberry
Dreier	McCaul	Tiberi
Duncan	McClintock	Turner
Ehlers	McCotter	Upton
Emerson	McHenry	Walden
Flake	McKeon	Wamp
Fleming	McMorris	Westmoreland
Forbes	Rodgers	Whitfield
Fortenberry	Mica	Wilson (SC)
Fox	Miller (FL)	Wittman
Franks (AZ)	Miller (MI)	Wolf
Frelinghuysen	Miller, Gary	Young (AK)
Garrett (NJ)	Moran (KS)	Young (FL)
Gerlach	Murphy, Tim	

NOT VOTING—23

Barrett (SC)	Clyburn	Hill
Blackburn	Davis (KY)	Hoyer
Boozman	Davis (TN)	Inglis
Boucher	Delahunt	Kirk
Bright	Edwards (TX)	Radanovich
Brown-Waite,	Fallin	Tiahrt
Ginny	Fattah	Van Hollen
Clay	Gallely	Waters

□ 1144

Mr. SHUSTER changed his vote from "yea" to "nay."

Mr. COURTNEY and Ms. TSONGAS changed their vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.